

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Fainberg on 10-14-09.

1. (Currently Amended) A filtering device consisting of a body filled with a particulate filtering material and having at least one outlet in a base of the body, a lid provided with water inlets and air outlet outlets and at least one fixing means for preventing the particulate filter material from escaping the body through said water inlets and said air outlets disposed between the body and the lid, characterized in that the fixing means is formed of a flexible polymeric material and has at least one slit formed therein, wherein the slit has a width that is less than a size of the particulate filter material in a closed position and can open to a width that is at least twice the width in the closed position to permit liquid or gas to flow there-through thereby defining a valve.

2. (Currently Amended) The filtering device as claimed in claim 1, characterized in that the shape of the valve slit corresponds to $1 \leq L_p / L_o \leq 2$, where: L_p - the length along the perimeter; L_o - the length of the valve slit.

3. (Canceled).

4. (Currently Amended) The filtering device as claimed in claim 2, characterized in that the width of the valve slit in the closed position corresponds to $0.1L_o \leq d \leq 3 L_o$, where: d - the width of the valve; L - the length of the valve slit.

The second and third full paragraphs on page 4 of the specification have been amended as follows:

-- The purpose is solved by a filtering device consisting of a body filled with a particulate filtering material and provided with at least one outlet in the base of it, a lid provided with a water inlets and an air outlets and at least one fixing means disposed between the body and the lid for preventing the particulate filtering material from escaping from the body through the water inlets and the air outlets, wherein the fixing means is formed from a flexible polymeric material and is provided with at least one slit formed therein thereby defining a valve for providing increasing water filtering efficiency. The shape of the valve is expressed by: to $1 \leq L_p / L_o \leq 2$, where: L_p - the length along the perimeter; L_o - the distance between two end points the length of the valve slit. The width of the valve slit increases not less than at least two times to a width that is at least twice the width of the slit in the closed position during the time when liquid or gas is flowing through it. Furthermore, the width of the valve slit in the closed position is less than a size of the particulate filtering material and is expressed by the following relationship: $0.1L_o \leq d \leq 3 L_o$, where: d - the width of the valve; L_o - the length of the valve. --.

Applicants proposed drawing changes to FIG. 5 filed on 7-9-09 have not been entered since they omit the rectangular recess between the body and lid and could be considered new matter.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: FIG. 5 must be amended to show the cuff 8 as being a part of radial flange of the lid while maintaining the rectangular recess between the body and lid in a manner similar to that shown in FIGS. 1, 3, and 4. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

The following is an examiner's statement of reasons for allowance: Nieweg (U.S. Patent 5,049,272), Hofmann et al (U.S. Patent 6,841,067), and Edwards et al (U.S. Patent 5,006,246) are considered the closest prior art, however, none of the references teach or suggest the limitations of the fixing means being formed of a flexible polymeric material and having at least one slit formed therein, wherein the slit has a width than is less than a size of the particulate filter material in a closed position and can open to a width that is at least twice the width in the closed position to permit liquid or gas to flow there-through thereby defining a valve as recited in instant claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O. Savage whose telephone number is (571) 272-1146. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew O Savage/
Primary Examiner
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